IN THE UNITED STATE DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION 5:13-cv-00271-D

UNITED STATES OF AMERICA for the use of S.T. WOOTEN CORPORATION,)
)
Use Plaintiff,)
v.)
v.) STAY ORDER
T.H.R. ENTERPRISES, INC., ADVANCE)
CONCRETE, L.L.C., and THE HANOVER)
INSURANCE COMPANY,	
Defendants.	,)
)

CAME THE PARTIES, by counsel, and stipulated their agreement as acknowledged by the endorsement of their counsel below to an agreed stay of this action as jointly moved by them pending administrative exhaustion of related subcontract pass-through claims and other disputes resolution conditions precedent.

Upon consideration thereof, the Court finds good cause to grant the moved and agreed stay, including because the stay will avoid prejudice to any party and effect judicial economy to the parties and this Court.

Accordingly, it is hereby ORDERED that the stay be granted, and this action be, and the same hereby is, stayed pending administrative exhaustion of related subcontract pass-through claims and other disputes resolution conditions precedent.

Counsel for the parties shall periodically, and no less than four month intervals, file a joint report with the Court through ECF apprising the Court as the status of the pass-through claims and disputes resolution processes.

ENTERED: 7 / 25/2013

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA

STIPULATED AND AGREED TO:

/s/ Tobias R. Coleman

Tobias R. Coleman (NC State Bar #41168)

Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P.

P. O. Box 2611

Raleigh, NC 27602

Telephone: (919) 821-1220

Fax: (919) 821-6800

Email: <u>tcoleman@smithlaw.com</u> Counsel for S.T. Wooten Corp.

/s/ Neil S. Lowenstein

Neil S. Lowenstein (NC State Bar #26998)

Vandeventer Black LLP

434 Fayetteville Street, Suite 2000

P.O. Box 2599

Raleigh, NC 27602-2599

Telephone: (919) 754-1171

Fax: (919) 754-1317

Email: nlowenstein@vanblk.com

Counsel T.H.R. Enterprises, Inc. and The Hanover Insurance Company

/s/ Charles L. McLawhorn, Jr.

Charles L. McLawhorn, Jr. (NC State Bar #07419

McLawhorn & Associates, P.A.

P. O. Box 8188

Greenville, NC 27835-8188

Telephone: (252) 321-0473

Fax: (252) 321-0482

Email: cmclawhorn@mclawhornlaw.com Counsel for Advance Concrete, L.L.C.